

Monroe County District Attorney's Office



2005 Annual Report



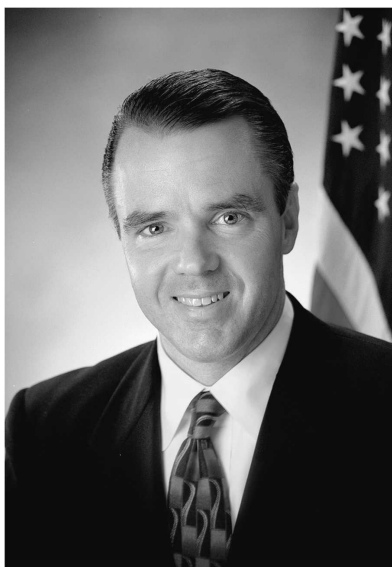
Hon. Michael C. Green, District Attorney, Monroe County

MONROE COUNTY DISTRICT ATTORNEY'S OFFICE
2005 ANNUAL REPORT

TABLE OF CONTENTS

A Message From District Attorney Mike Green	1
Overview and Highlights	2
Homicide Bureau	4
Project Step Up.	6
Project Impact/Operation Ceasefire	7
Gun Bureau/Project Exile	8
Major Felony Bureau	9
Arson Unit.	10
Special Investigations Bureau	11
Appeals Bureau	13
Domestic Violence, Child and Elder Abuse Bureau	15
Financial Crimes, Technology and Non-Violent Felony Bureau..	17
DWI Bureau	19
Local Courts Bureau	21
Grand Jury Bureau	23
Victim Assistance Unit	23
Investigators/Warrants Division	24
Administration	25
Outreach, Training & Intern Programs	27
Budget/Funding.	28
Website/Comments	28

A MESSAGE FROM MIKE GREEN



2005 was an outstanding year for the Monroe County District Attorney's Office. The 4,700 felony cases referred to my office for prosecution was the lowest number in years, reflecting a decrease in felony crimes in our community. Even with fewer cases, felony convictions and prison sentences increased significantly. These results are attributable to policies I enacted in the last two years to limit plea bargaining for armed violent felons, illegal gun possessors, drug dealers, and repeat felony offenders, and the outstanding efforts of everyone at the District Attorney's Office. The additional work that has been generated for prosecutors, judges and others in the system is a small price to pay in return for holding felons accountable for the harm they cause our community.

It is inevitable that as we became more aggressive in seeking felony convictions in difficult cases, there will be acquittals. Every week, witnesses refuse to voluntarily testify, or testify honestly, out of fear, indifference or other motives, and juries chose not to convict based on the testimony of witnesses, such as gang members or child witnesses, who present challenges. Where Grand Juries and judges determine that sufficient evidence exists to obtain indictments, my office will not shy away from prosecuting cases simply because they are challenging.

In appropriate cases, we continue to aggressively seek out and use effective alternatives to incarceration. Thousands of defendants were placed on probation. Hundreds of defendants charged with non-violent offenses were referred to drug court. We were again selected to pilot the Road to Recovery drug treatment program. We continued to use the Pre-Trial Diversion program to attempt to change the behavior of DWI offenders. Through Mental Health Court, we are working with others in the justice system to deal more effectively with mentally ill offenders. Effective prosecution requires fairness and firmness in choosing the appropriate path for each case.

Our partnerships continue to lead to many successes. Using money seized from drug dealers, we partnered with the Monroe County Sheriff's Foundation, the Rochester Police Department and the Boys and Girls Club to run Project Step-up for at-risk youth. Our Ceasefire/IMPACT, Project Exile, and Auto Theft and Insurance Fraud Task Force are other partnerships that not only protect our community, but are being used as examples of best practices across the state and country.

Thanks to the outstanding work of everyone at the Monroe County District Attorney's Office, this year was one of the most productive in our history. I am extremely proud of my staff and our accomplishments, and look forward to continuing to do justice and make our community a safer place to live.



OVERVIEW AND HIGHLIGHTS

The Monroe County District Attorney's Office prosecuted 30,000 cases in 2005. Each case is evaluated individually, with the goals of protecting the community and seeking justice factored in along with the nature of the crime and the background of the accused. Practical concerns also come into play; some cases cannot be fully prosecuted because of lack of evidence, witnesses who do not cooperate, legal technicalities, and the like.

With a **total staff of 130 people, including 75 full time attorneys**, the Monroe County District Attorney's Office is one of the largest law firms in Monroe County, and ranks in the **top ten District Attorney's offices statewide in terms of caseload**. The Office is located in the Ebenezer Watts Building, at 47 South Fitzhugh Street, Rochester, 14614.

This years highlights include:

- Increasing the number of felony convictions and prison sentences, particularly for violent felons and criminals with guns, even though fewer felony cases were referred to the office.
- Continuing our position as the **number one large office in the state for DWI conviction percentage**.
- Partnering with the **Boys and Girls Club** and the Monroe County Sheriff's Foundation to run **Project Step Up**, giving teens a safe and positive alternative to gangs and drugs, and the crime and violence they incite.
- Continuing our partnerships with law enforcement agencies through **Project Impact/Ceasefire, Project Exile, and the Auto Theft and Insurance Fraud Task Force** to target crime in a coordinated fashion.
- Holding more domestic violence offenders accountable through our **Evidence-Based Prosecution** policy.
- Continuing the office's commitment to the **Drug Court, Road to Recovery, and Mental Health Court** programs, decreasing the recidivism rate of non-violent offenders with drug problems and/or mental health issues.

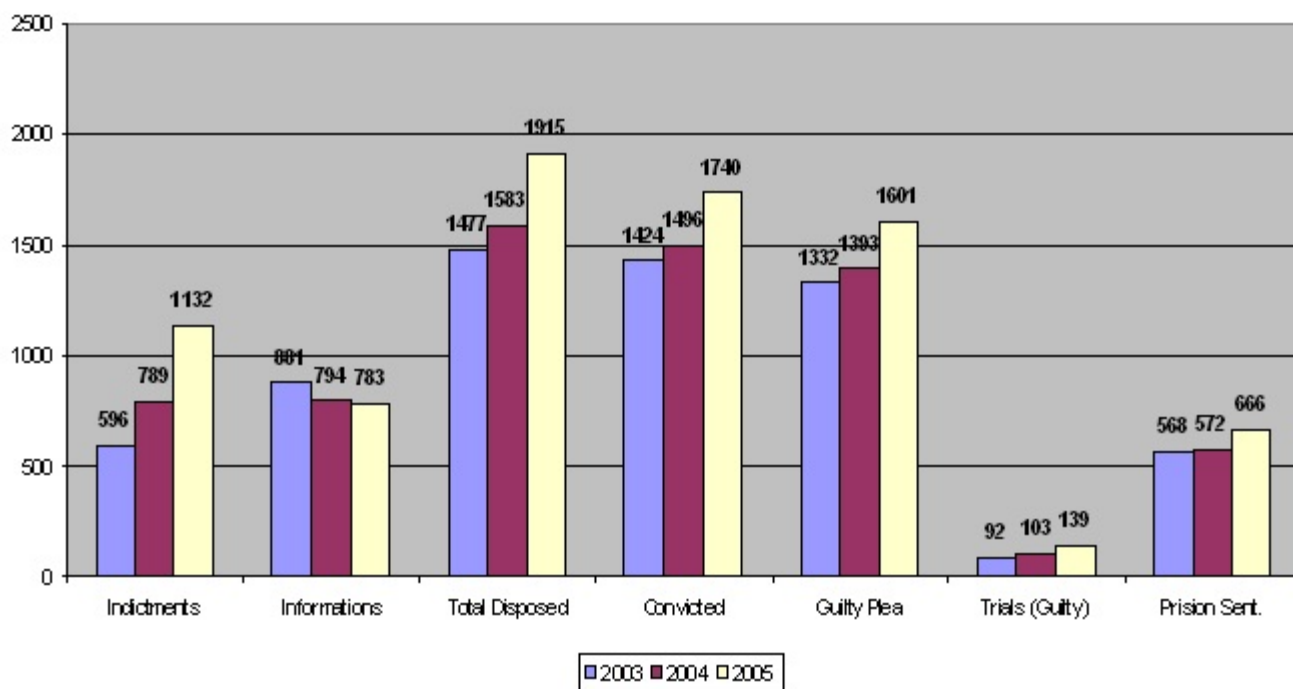
These initiatives reflect our belief that cooperation between Government and citizens is critical to reducing crime and revitalizing the community. We are committed to making Rochester and Monroe County a safer place to live, work and visit.

Here are some of the **indicators of the hard work** that Monroe County prosecutors do every day. In 2005, the District Attorney's Office:

- Prosecuted more than **4700 felony** cases.
- Handled more than **25,000** misdemeanors and violations.
- Posted a **94% Superior Court Conviction Rate**.
- As the charts below illustrate, for the second year in a row the number of indictments, felony dispositions, felony convictions, felony guilty pleas, felony trial convictions and

prison sentences increased, and the probability that a felony arrest would result in a felony disposition and prison sentence continued to rise

Chart 1: MONROE COUNTY FELONY DISPOSITIONS 2003-2005



	Year	Felony Arrests**	Felony Dispositions	Probability that Felony Arrest will be Disposed of as a Felony	Prison*** Sentence	Probability that a Felony Arrest will result in Prison
TOTAL	2003	4648	1939	0.42	568	0.12
	2004	4699	2001	0.43	572	0.12
	2005	4538	2356	0.52	666	0.15
VIOLENT	2003	1239	671	0.54	256	0.21
	2004	1212	674	0.56	277	0.23
	2005	1230	766	0.62	306	0.25
DRUG	2003	904	462	0.51	140	0.15
	2004	850	415	0.49	103	0.12
	2005	780	386	0.49	156	0.20
FIREARM	2003	351	185	0.53	98	0.28
	2004	319	180	0.56	132	0.41
	2005	319	226	0.71	157	0.49

* Since the entire process of arrest through sentencing may span more than 1 year, this table should not be interpreted as tracking individual cases but should be regarded instead as a general measure to be examined over time. These data should not be seen as reflecting prosecutorial decisions alone but instead reflect processes involving the police, prosecutors, and the courts.

** During this time period a small portion of felony arrests were referred for prosecution in Federal courts: 2003 (106); 2004 (70); 2005 (30).

*** Prison refers only to state correctional institutions run by the New York State Department of Corrections. Sentences to Monroe County Jail or Federal Prison are not reflected in these counts.

HOMICIDE BUREAU

The Homicide Bureau is staffed by the most capable and experienced attorneys from other Bureaus, under the direct supervision of First Assistant Ken Hyland. In 2005, the Office successfully prosecuted a total of 40 Homicide cases. Of those, 21 were sentenced to life in prison, including three defendants who were sentenced to life without the possibility of parole after being convicted of First Degree Murder.

Some of the convictions obtained by the Homicide Bureau in 2005 included:

Cyril Winebrenner, was convicted of First Degree Murder in the death of his half sister, Tabitha Bryant who was found stabbed and shot to death in bed in her Penfield home. Cyril Winebrenner was paid to commit the murder by Tabitha's husband, **Kevin Bryant**, who was also convicted of First Degree Murder in 2004. Winebrenner was sentenced to Life Without Parole.

Drue Jarvis was convicted of First Degree Murder for stabbing and strangling 86 year old Vivian Chapman in her apartment in Pittsford. Jarvis was also sentenced to Life Without Parole.

David VanDyne was convicted of First Degree Murder for robbing and killing Randall McClellan, who was returning to his car after hunting. VanDyne was sentenced to Life Without Parole.

Anthony "Pretty Tony" Foster was convicted of Second Degree Murder after trial for shooting Kenneth Becoats. He was sentenced to the maximum sentence of 25 years to life. The case was personally handled by District Attorney Mike Green.

Douglas Gross was convicted of Second Degree Murder and two counts of First Degree Manslaughter for the triple homicide involving the deaths of Joshua Calloway, Gary Green, and Soeuth Heme in 2000. He was sentenced to 75 years to life.

Ernest Jefferies was sentenced to 25 years to life after being convicted of Second Degree Murder for the death of Lamarah Jefferies, his infant son. Jefferies was the first person convicted in Monroe County under a new provision of the Penal Law under which a person may be convicted of Second Degree Murder if the person recklessly creates a risk of serious physical injury or death and causes that person's death, and when the victim is under the age of eleven.

Gregory Borcyk and **David Loret** were both convicted of Second Degree Murder. Borcyk was convicted for the death of Maria Ortiz, whose body was found in the Town of Greece. Loret was convicted in connection with the death of Sandra Bellucco, whose body was found in the City of Rochester. Both convictions relied heavily upon the use of DNA technology. Both Borcyk and Loret were sentenced to the maximum sentence of 25 years to life.

Mark Cartledge was convicted of intentional murder for the brutal stabbing death of Jamela Robinson and sentenced to 25 years to life.

Randy Smith was convicted of killing a woman walking her dogs in the woods in the Town of Webster. He was sentenced to 25 years in prison.

LIFE SENTENCES IN MURDER PROSECUTIONS - 2005

<u>DEFENDANT</u>	<u>CRIME</u>	<u>SENTENCE</u>
DRUE JARVIS	First Degree Murder	LIFE w/o PAROLE
DAVID VANDYNE	First Degree Murder	LIFE w/o PAROLE
CYRIL WINEBRENNER	First Degree Murder	LIFE w/o PAROLE
BRANDON LATSON	First Degree Murder	20 to LIFE
DOUGLAS GROSS	Intentional Murder	75 to LIFE
COREY BECOATS	Depraved Murder	25 to LIFE
GREGORY BORCYK	Intentional Murder	25 to LIFE
MARK CARTLEDGE	Intentional Murder	25 to LIFE
RASHAD DARDEN	Intentional Murder	25 to LIFE
ANTHONY FOSTER	Intentional Murder	25 to LIFE
ERNEST JEFFERIES	Murder-Child less than 11	25 to LIFE
JAMELL LEWIS	Intentional Murder	25 to LIFE
DAVID LORET	Intentional Murder	25 to LIFE
BRANDON MCGRADY	Intentional Murder	25 to LIFE
LUIS ROBLES	Intentional/Felony Murder	25 to LIFE
JASON WRIGHT	Depraved Murder	25 to LIFE
MICHAEL PRINDLE	Depraved Murder	22 to LIFE
KIM WILSON	Intentional Murder	20 to LIFE
LUCIUS WRIGHT	Intentional Murder	20 to LIFE
JONATHAN JONES	Depraved Murder	19 to LIFE
LATRAVIS CHEATEM	Felony Murder	15 to LIFE

PROJECT STEP UP

Project Step Up is a partnership initiated by District Attorney Mike Green between the D.A.'s Office, the Boys and Girls Club, the Monroe County Sheriff's Office and the Rochester Police Department. It is a summer program established in 2005 to help high risk youth in the inner city learn about dealing with gangs, drugs, guns and peer pressure. It combines interactive seminars with a basketball league.

The funding for this summer program was provided by the District Attorney's Office through the use of money seized from drug dealers, together with funds from the Monroe County Sheriff's Foundation. The entire program cost less than the price of incarcerating one person for a year.

Under the directorship of Dwayne Mahoney of the Boys and Girls Club of Rochester, approximately 137 youth ages 14-19 participated.

The results of the program are impressive:

ALL Of the 137 youths that participated also participated in the Street SMART curriculum 4 nights per week.

- 70 to 85% of participating youth were able to recognize gang and other deviant activity and its negative impact on the community and develop some initial resistance skills training.
- During the Street SMART and SMART Moves sessions 30 of the 137 young men desired extra assistance with "basic needs" issues. If met, these needs may in turn lead youth leaving life on the streets and seeking a more positive and healthy way of life for teens.
- The "basic needs" addressed included (but were not limited to):

Daycare

2. Assistance with learning to become a better teen father
 3. Reentering the educational arena
 4. Seeking employment
 5. Seeking supportive services from Rochester/Monroe County Social Services
- Of the 137 youths participating, 18% of those who were never members before the program have utilized their free membership in the Boys & Girls Clubs at least once per month since the conclusion of the program.
 - The program was originally intended to serve 120 teens, but instead worked with 137

- teens and had a waiting list of an additional 28 which we intend to serve next year.
- The program kept young people, some who would more that likely be standing on a street corner, in a safe, supportive environment until 10:30 or 11:00 four to five times a week.
- The Street SMART and SMART Move curricula allowed young people the opportunity to gain some initial skills and talk with a caring professional each night about life skills, social responsibility and the adverse effects of drugs on a nightly basis.
- The program allowed law enforcement a greater opportunity to show these teens and the broader community that it is invested in their future and law enforcement is not solely about incarceration but prevention and their futures.

This project will continue in the summer of 2006 with great expectations. It demonstrated that law enforcement supports the healthy development of our youth.

Dwayne Mahoney, Executive Director of Boys and Girls Club of Rochester, said:

“Project Step-Up filled a valuable need for youth ages 14-19 during the summer months to develop conflict resolution skills while keeping young people safe and most importantly strengthening positive relationships between young people and the members of law enforcement. The program supported by the District Attorney’s Office provides evidence that law enforcement understands that prevention in concert with intervention is a proper community model to help reduce the rates of teen violence.”

PROJECT IMPACT/OPERATION CEASEFIRE



A cornerstone of our overall crime-fighting strategy is the continued implementation of Project Impact and Operation Ceasefire. These initiatives are research based and utilize multi-agency partnerships and collaboration with criminal justice and community groups to hold serious violent criminals accountable for their actions, specifically violent group members and gun offenders. Accountability is achieved through focused law enforcement operations that address those offenders and members of their groups who are involved in violent activities. Through Project Impact the **District Attorney’s Office helped secure almost a million dollars** in state funding for local law enforcement.

GUN BUREAU/PROJECT EXILE

Most of the violent crime in our community involves the possession and use of illegal handguns. In an effort to prevent violent crime, the Monroe County District Attorney's Office, through our gun bureau, is aggressively prosecuting any individual who possesses an illegal weapon. The objective of this bureau is to take individuals who possess illegal firearms off the street and incarcerate them before they use the guns to commit other violent crimes.

As part of our commitment to ending gun crimes, the District Attorney's Office has continued to work closely with Federal prosecutors through the Project Exile program. Project Exile, launched here in 1998, is a joint program between our Office and the United States Attorney's Office designed to ensure that the longest possible prison sentences will be obtained in gun cases. The Office is especially appreciative of the continued commitment of Assistant United States Attorneys **Kathleen Mehlretter and Brad Tyler, as well as United States Attorney for the Western District of New York Terry Flynn**, to the Project Exile program. The positive results seen this year could not have been achieved without their assistance.

Our commitment to Project Exile once again produced outstanding results in 2005. Prosecutors working in the Gun Bureau have been recommending that those convicted of possessing illegal firearms receive STATE PRISON SENTENCES and as a result, for the second year in a row, the percentage of gun arrests resulting in felony dispositions and prison sentences increased significantly. John Klofas noted in his 2006 report that "from 2003 - 2005 **there has been a 75% increase in the probability that a felony gun arrest will lead to a prison sentence.**"

MAJOR FELONY BUREAU

Under the leadership of Chief Joanne M. Winslow and Deputy Chief Sandra Doorley, the Major Felony Bureau prosecutes **violent felony offenders** and **career criminals**. The Bureau's goal is to obtain the longest sentences warranted by the offense for the benefit of the individual victim as well as for the safety and security of the entire community.

The Bureau prosecutes robberies, burglaries, sexual assaults on adult victims, serious assault cases, and many of the homicide cases. The Major Felony and Gun bureaus took in 1142 new felony cases in 2005.

The attorneys working in the Major Felony and Gun Bureaus obtained felony convictions in **584 major felony cases** in 2005. Their overall **superior court conviction rate for 2005 was 90%** - outstanding considering the challenges bureau members face in getting witnesses to cooperate and testify in many cases. The "Stop Snitching" campaign has created an atmosphere of intimidation and caused witnesses to refuse to testify or refuse to testify truthfully, resulting in a number of acquittals.

THE OFFICE'S **NO-TOLERANCE POLICY** toward gun crimes was typified by cases like:

Myrone Warr, who was convicted of First Degree Burglary for wielding a shotgun when entering a home to steal property, and was sentenced to 18 years in state prison.

Charles Hubbard, who was convicted of First Degree Burglary as a co-defendant of Myrone Warr, and was sentenced to 15 years in state prison.

David Green, who was convicted of First Degree Robbery for using a handgun to rob two patrons as they left a local bar, and was sentenced to 14 years in state prison.

Cleveland Cooper, who was convicted of First Degree Robbery for entering a clothing store and robbing the store owner with a handgun, and was sentenced to 14 years in state prison.

Charles Clark, who was convicted of First Degree Robbery for assisting Cleveland Cooper in robbing the clothing store, and was sentenced to 13 years in state prison.

Antione Rivers, who was convicted of First Degree Robbery for using a handgun to commit a robbery of bar patrons with David Green, and was sentenced to 12 years in state prison.

David Frazier was one of five Defendants prosecuted by the Major Felony Bureau who received LIFE SENTENCES IN NON-HOMICIDE CASES. Frazier was hired to carry out a contract killing using a shotgun to kill Kimberly Warner's ex-husband. Four of those listed below are career criminals sentenced under New York's PERSISTENT VIOLENT FELONY

OFFENDER LAW.

<u>DEFENDANT</u>	<u>CRIME COMMITTED</u>	<u>SENTENCE</u>
DAVID FRAZIER	Att. Murder 1 st	20 to LIFE
FREDDIE HARRIS	Burglary 2 nd	17 to LIFE
MICHAEL TIMMONS	Robbery 2 nd	16 to LIFE
LEON PENN	Att. Burglary 2 nd	14 to LIFE
MICHAEL FRANKLIN	Att. Burglary 2 nd	12 to LIFE

The Major Felony Bureau also prosecuted the following violent felons who received significant sentences:

<u>DEFENDANT</u>	<u>CRIME COMMITTED</u>	<u>SENTENCE</u>
ANTONIO COOLEY	Att. Murder 2 nd /Assault 2 nd	40 years
DAVID GRIFFIN	Robbery 1 st	20 years
RONELL AGEE	Assault 1 st	20 years
MANFRED SACHS	Burglary 2 nd	15 years

THE ARSON UNIT is also part of the Major Felony Bureau. Under the direction of Paul Irving, the unit is responsible for the investigation and prosecution of arson and explosives cases. The unit works closely with local fire investigators and the Bureau of Alcohol Tobacco Firearms and Explosives agents to achieve outstanding results in arson and explosives prosecutions. The unit has also worked with both local and federal law enforcement to conduct undercover investigations into the unlawful manufacture and sale of improvised explosive devices.

In summary, the attorneys in the Major Felony Bureau are working to take more and more violent felons and career criminals off the streets for longer periods of time. Hopefully, the result will be to make this a safer community and a better place to live and raise families.

SPECIAL INVESTIGATIONS BUREAU

The Special Investigations Bureau (“SIB”) is responsible for handling most of the Office’s **drug prosecutions**, as well as other cases that involve special investigative work. The Bureau was led by Timothy Prosperi and staffed by six Assistant District Attorney’s, a paralegal and an investigator.

2005 was a productive year for the attorneys and staff within the Special Investigations Bureau. Bureau members handled heavy caseloads, conducted major trials (including murder), supervised the execution of numerous investigations and wiretaps, and oversaw the day-to-day prosecution of street-level dealers and gang members. Their efforts continued to have a positive effect on gang-related violence.

BUREAU STATISTICS: As of December 31, 2005, SIB took in 772 felony cases. The SIB superior conviction rate was 98%.

SIGNIFICANT CASES: Many of the cases prosecuted by SIB attorneys were of law enforcement significance.

DEFENDANT	CRIME	SENTENCE
BORCYK, GREGORY JOHN	Second Degree Murder	25 to LIFE
CARTLEDGE, MARK ANTH	Second Degree Murder	25 to LIFE
CALO, WILLIAM B	First Degree Sale Cont Sub	8 to LIFE
NESMITH, EARL DARNEL	Second Degree Sale Cont Sub	9 to LIFE
FRANCIS, ROCKEL BYRO	First Degree Poss Cont Sub	5 to LIFE
GRAY, GARY D	First Degree Poss Cont Sub	15 to LIFE
FERRERIA, DELSO D	First Degree Poss Cont Sub	15 to LIFE
FISHER, JEFFREY	First Degree Poss Cont Sub	15 to LIFE
MILLER, NAZARETH	First Degree Poss Cont Sub	15 to LIFE
PEREZ, THOMAS T	First Degree Poss Cont Sub	15 to LIFE
RIGGINS, RONALD H.	First Degree Poss Cont Sub	15 to LIFE
ROSARIO, JOSE A	First Degree Poss Cont Sub	15 to LIFE
SANTIAGO, RAFAEL	First Degree Poss Cont Sub	15 to LIFE
ESTRELLA, LUIS F	Second Degree Poss Cont Sub	4 to LIFE
PERRI, KEVIN J	Second Degree Poss Cont Sub	3 to LIFE
REYES, RAMON	Second Degree Poss Cont Sub	3 to LIFE
ZAYAS, DOMINGO	Second Degree Poss Cont Sub	3 to LIFE
STUDYMEINE, ALFONSO	Second Degree Poss Cont Sub	PENDING
MOORE, ANTHONY JEROM	Second Degree Poss Cont Sub	4 ½ to 9 YEARS

Bureau Chief Tim Prosperi prosecuted **Gary Gray** for First Degree Criminal Possession of a Controlled Substance. Gray was convicted based on his connection to a large scale cocaine distribution ring involving William “Red” Banks and Patrick Lowe. Gray possessed over one kilogram of cocaine. He was sentenced to 15 years to life (but the sentence was reduced to 10 years determinate after a Rockefeller re-sentencing application).

INVESTIGATIONS/WIRETAPS: Bureau members supervised the execution of approximately 35 wiretaps in 2005, targeting various criminal organizations and individuals. Wiretap evidence has led to search warrants, resulting in the seizure of pounds of cocaine, marijuana, United States currency and other evidence of drug trafficking. Among the more notable targets was Tony Carvin, who operated a large scale cocaine and marijuana business from his bar located at Goodman Street and Clifford Avenue. Electronic surveillance evidence was utilized to investigate and solve several murders.

In conjunction with the United States Attorneys office, several of these investigations have led to joint prosecutions. State and federal prosecutors meet regularly to determine where cases can best be prosecuted. Some cases are prosecuted in federal court due to the increased penalties or more favorable laws. Our office continues to enjoy an excellent cooperative relationship with the United States Attorneys Office and all federal law enforcement agencies.

STREET GANG VIOLENCE/PROJECT IMPACT/OPERATION CEASEFIRE: Over the past year, SIB attorneys have continued a “no reduction” policy on all prosecutable narcotic sale arrests. This policy has not only removed many of the notorious offenders from the street, but served notice to the remaining “gang” members that the Rochester Police and DA’s Office will fully prosecute those who destroy our neighborhoods through gang violence and drug dealing.

FORFEITURES: In 2004 the bureau established a system wherein monies seized during a felony arrest (but not eligible for federal adoptive forfeitures) are earmarked for state forfeiture under Article 13 of the CPLR, or Section 3388 of the Public Health Law. Criminal Law Specialist Jim Lanphere has accepted the responsibility of coordinating this forfeiture program, with excellent results.

Fifty-three (53) cases that qualify for state forfeiture have been identified, with the potential to bring in over \$42,000.00. These cases are at various stages (default orders to be filed; defendants served summons and complaint but awaiting answer, etc.). By law this money will be shared by our office and other city, county, and state offices.

In addition, in calender year 2005, the Monroe County District Attorneys Office received approximately \$64,500.00 in federal adoptive forfeiture monies as a result of investigations we assisted with involving GRANET and the Rochester Police Department.

APPEALS BUREAU

Preserving hard-won convictions obtained after pleas and trials in all levels of Monroe County Courts is the main function of the Appeals Bureau, supervised by Chief of Appeals Wendy Lehmann and Deputy Appeals Bureau Chief Kelly Wolford.

In the more than 100 appeals decided by the Appellate Division over the past 12 months, the ADA's assigned to the District Attorney's Appeals Bureau achieved a more than 94% success rate in preserving convictions. Those decisions include the preservation of the convictions of 19 defendants convicted of some degree of homicide, including Foued Abdallah (aka Tom Cruise), Ronald Brown, Dustin Narrod, Ronnie Reese, James Oglesby, Brandon Bolling, Joseph Wright, Kenneth Baker, Brian Baskoff, James Boyd, Roderick Johnson, Tyrone Lawhorn, Curtis Robinson, Felipe Burgos, Monica Szlekovics, Yancy Wearren, Michael Bradley, Benjamin Switzer, and Jose Torres.

The Bureau also defended more than 100 cases on collateral attack in the Appellate Division and the County and Supreme Courts.

Appeals Bureau attorneys also responded to more than 50 petitions for Federal habeas corpus relief brought by prison inmates, and achieved a 100% success rate in 30 cases decided in the United States District Court. Among the cases in which federal courts dismissed habeas corpus petitions in 2005 are the following murder convictions: Anthony Figueroa, Reginald Chatman, Miguel Tirado, Guillermo Balance-Solar, Paul Paxhia, Wilmy Garrido-Valdez, Raymond Stubbs, Jeffrey Ford, Lionel Sampson, Larry Williams and Roger Williams II.

Defendants and their counsel frequently file notices of appeal, but fail to follow through. Each year the Appeals Bureau brings motions to dismiss appeals older than two years. In 2005 the Appellate Division dismissed twenty-five such appeals, and more than seventy such motions are pending.

The Bureau also handles all cases involving fugitives from other jurisdictions arrested in Monroe County. This year, in the majority of the more than 100 fugitive matters handled, Appeals attorneys succeeded in sending these defendants out of this county and back to face justice in other states.

Each year, the Appeals Bureau pursues appeals or other legal actions when possible to correct or clarify the decisions of trial courts. In 2005, the Bureau successfully undertook a very unusual declaratory judgment action to clarify the law concerning the admissibility of documentation in Driving While Intoxicated trials. The action, *Green v DeMarco*, was only the second of its kind brought in the history of the Monroe County District Attorney's Office. Bureau attorneys also successfully pursued People's Appeals in order to correct judicial errors in seven other cases, allowing us to proceed with prosecutions that otherwise would have been dismissed.

Appeals Bureau ADA's also provide ongoing research and support to all of the other prosecution bureaus in the District Attorney's Office, including regular summaries of decisions from the United States Supreme Court, the New York Court of Appeals, and the Appellate Division, Fourth Department, ongoing advice and research on current issues, and continuing legal education support. Deputy Bureau Chief Kelly Wolford is in charge of the Continuing Legal Education Seminars. Held twice yearly, these training sessions allow prosecutors to fulfill their legal requirement to update their skills annually in a number of different subject areas, and at a very low cost to County taxpayers.

DOMESTIC VIOLENCE/CHILD & ELDER ABUSE BUREAU

Child Abuse, domestic violence and elder abuse cases are prosecuted by the Domestic Violence Bureau, under the direction of Bureau Chief Douglas Randall.

STAFF AND WORKLOAD: Including the **Integrated Domestic Violence Court prosecutor**, the bureau consists of seven attorneys with combined prosecutorial experience of nearly fifty years. Each has received training in dealing with victims of domestic violence and interviewing child witnesses.

The Bureau handled close to **six hundred (600)** felony cases in 2005, including several homicide cases, and posted a superior court conviction rate of 90%. The Integrated Domestic Violence Court, which assigns a single judge and Assistant District Attorney to handle all aspects of a domestic violence case, has handled more than **two hundred and fifty (250)** criminal cases, with approximately the same number of Family Court cases associated with them.

SIGNIFICANT CASES: Numerous high profile and serious cases were handled last year with excellent results:

Jamal Lewis was convicted of Second Degree Murder for brutally stabbing and murdering a defenseless woman and was sentenced to the maximum of 25 years to life in prison. **ADA Catherine Wagner** prosecuted this case.

Linda Pillius was sent to prison for 23 years for First Degree Manslaughter for the vicious murder of her live-in boyfriend by plunging a knife into his chest more than one time. **ADA Catherine Wagner** prosecuted this case.

Christopher Williams was sent to prison for 17 years for the vicious and brutal rape of a young girl who was asleep in what she thought was the safety of her bedroom in a suburban town. **ADA Heather Parker** prosecuted this case.

Goldde Douglas was found guilty of Attempted Murder and First Degree Assault and sentenced to the maximum of 25 years in prison for bludgeoning his ex-girlfriend with a hammer. The defendant left his victim to die face down in a pool of her own blood. **ADA Kristina Karle** prosecuted this case.

Jesus Martinez sodomized and sexually abused three young girls from his neighborhood. In spite of the fact that it took four years to bring him to justice, the defendant was convicted of all counts for his crimes involving three young girls, and was sentenced to 25 years in prison. **ADA Catherine Wagner** prosecuted this case.

Christopher Diaz was convicted of First Degree Criminal Sexual Act and First Degree Sexual Abuse and sentenced to 15 years in prison for sexually assaulting a young girl who was his neighbor. **ADA Catherine Wagner** prosecuted this case.

David Williams was convicted of sodomizing a young boy and sentenced to 15 years. **ADA Doug Randall** prosecuted this case.

Kenneth Wallace was convicted of all charges, including First Degree Rape, for sexually abusing his young victim repeatedly for a number of years, and was sentenced to the maximum of 25 years. **ADA Kristina Karle** prosecuted this case.

Donald Staples was convicted of First Degree Rape, First Degree Criminal Sexual Act and First Degree Sexual Abuse for raping, sodomizing and sexually abusing his girlfriend's six-year-old daughter. He was sentenced to the maximum consecutive term of 64 years in prison.

Carl Rogers was found guilty of raping and sodomizing a nine-year-old girl, the daughter of his girlfriend, and was sentenced to 25 years. **ADA Kristina Karle** prosecuted this case.

Dennis Gonzales was a predicate felon who was convicted of the sexual abuse of his own young daughter and sentenced to seven years in prison. **ADA Ella Hilty** prosecuted this case.

Donal Langdon was convicted of six counts of First Degree Sexual Abuse for molesting his step-daughter. **ADA Sonal Rana** prosecuted this case.

COMMUNITY OUTREACH: Bureau members serve on a number of community boards and within several organizations, including the Society for the Protection and Care of Children, the Monroe County Youth Board, Rape Crisis, the Domestic Violence Consortium, Lifespan and Pittsford Youth Services.

Members of the Bureau have also been active in the Child Abuse Network. Through this group, prosecutors have spoken at local churches concerning the misconceptions surrounding child sexual abuse and the prosecution of these types of cases.

Our Bureau members also provide training to various area law enforcement and community service agencies.

NOTABLE EVENTS: At the **Bivona Child Advocacy Center (BCAC)**, members of our Bureau have taken a leading role in the Multi-Disciplinary Child Abuse Investigation Team. Our office there allows us to be present for interviews, investigations and questions that come up. The center serves as a one-stop location that enables law enforcement, Child Protective personnel, the prosecutor, and medical and social work services personnel to interact with an abused child within a comforting and efficient setting. Through the use of a child-friendly environment, attorneys are able to reduce the trauma experienced by children who are asked to recount their abuse.

FINANCIAL CRIMES, TECHNOLOGY & NON-VIOLENT FELONY BUREAU

The Financial Crimes, Technology and Non-Violent Felony Bureau is staffed with a total of eight ADAs, all under the supervision of Bureau Chief Jennifer Whitman. The bureau is divided into a number of functional units.

NON-VIOLENT FELONY BUREAU: This bureau is comprised of 6 Assistant District Attorneys who handle all non-violent D and E Felonies that are not handled by other bureaus in the office. The Bureau handled over 1300 cases in 2005. The total Superior Court conviction rate for the bureau was approximately 96%.

In March, **Antoine Freeman** was adjudicated a Persistent Felony Offender and sentenced him to a term of fifteen years to Life in state prison based on his conviction for Third Degree Burglary and his many prior felony convictions.

The Bureau also prosecuted Monroe County's first Hate Crime. **Mitchell Phillips** was convicted of Third Degree Assault as a hate crime on June 8, 2005. Hate crime legislation allows the prosecutor to charge someone with a hate crime if the crime is motivated by a discriminatory purpose, elevating that crime to the next level for sentencing purposes.

An integral part of this bureau is a Division of Criminal Justice Services-funded **Motor Vehicle Thefts and Auto Insurance Fraud Prosecution** unit. This grant allows the Monroe County District Attorney's Office to concentrate efforts in the area of auto theft and auto-related insurance fraud. The Monroe County District Attorney's Office, along with state, county and local law enforcement agencies have created a task force to combat this type of crime. The Task Force held bi-weekly and monthly meetings to devise and implement the type of coordinated effort needed to combat this type of crime.

Since the task force started operating, there has been a **30% reduction in stolen vehicle reports in Monroe County**.

VIN Etching Program: Two separate VIN etching programs were held in Monroe County in 2005, and our office also assisted in a VIN etching program held in Caledonia. VIN etching is a program in which an individual's Vehicle Identification Number and other information are etched on each of the windows of their car to reduce the likelihood that the vehicle will be stolen. It also aids in the recovery of vehicles that are in fact stolen. One program was held in Greece with the Greece Police Department, and another in Rochester with the Rochester Police Department. Each program brought in more than 70 citizens to have their vehicle glass etched. In June 2005 the Monroe County District Attorney's Office hosted a training session for all law enforcement agencies in and around Monroe County conducted by the Department of Criminal Justice Services to provide training in VIN etching and in the "Watch Your Car" program

FINANCIAL CRIMES UNIT: The Financial Crimes and Technology Bureau prosecutes a great variety of criminal offenses, including embezzlement, computer crimes, identity theft and insurance fraud. There are two Assistant District Attorneys who prosecute approximately 270 cases. In addition to those cases, members of the bureau also aid law enforcement personnel in investigating financial crimes.

Robert Carelock has a long record of entering businesses and stealing information or checks which he later used to obtain money. His years of crime were ended when he was convicted of Third Degree Burglary and sentenced to 20 years to life in Monroe County Court, as a persistent felony offender.

There were many defendants who were sentenced to State prison for stealing money from Monroe County residents. Some highlights include:

Joyce Hawkes was sentenced to five to ten years in state prison for stealing approximately \$800,000;

Linda Segovia received a three to six-year sentence for stealing \$49,000. She had been on probation for stealing approximately \$200,000 when she committed the new larceny.

The Monroe County District Attorney's Office secured a grant from the Division of Criminal Justice Service and New York State Department of Taxation and Finance to help prosecute people who file false tax documents or under-report taxable income. To date, two defendants have pled guilty and paid over \$140,000 in income tax to New York State on their previously unreported income.

The Bureau also prosecuted a contractor who falsified his payroll records on government public works contracts and failed to pay his workers the supplemental benefits they were entitled to. The defendant pled guilty to the larceny, served time in the jail, was placed on five years probation and ordered to repay his former employees.

DWI BUREAU

Drunk Drivers pose a significant threat to the safety of our community. The DWI Bureau prosecutes all repeat offenders charged with felony DWI, vehicular assaults and homicides, and related cases such as First Degree Aggravated Unlicensed Operation. Sandra Doorley began the year as Bureau Chief; she was succeeded midyear by Kristin Splain.

Monroe County is the state leader in DWI prosecutions in **large counties** in recent years. Our DWI conviction rate increased from 61% in 2003 to 64% in 2004 to 66% in 2005. We have one of the most restrictive policies on plea negotiations for these crimes. It is our hope that our tough stand on drinking and driving makes Monroe County a safer place.

The DWI Bureau was assigned 603 felony cases in 2005. In total, the bureau had a total superior court conviction rate of 99% - among the best in New York State.

2005 DWI/DWAI CONVICTIONS (Counties with over 1,000 convictions)

COUNTY	2005 DWI	2005 DWAI	TOTAL CONVICTIONS	2005 DWI %
MONROE	1,503	765	2,268	66.27%
ALBANY	358	1,206	1,564	22.89%
BRONX	620	685	1,305	47.51%
DUTCHESS	655	662	1,317	49.73%
ERIE	1,462	1,867	3,329	43.92%
KINGS	622	984	1,606	38.73%
NASSAU	1,570	1,970	3,540	44.35%
NEW YORK	435	693	1,128	38.56%
ONONDAGA	649	1,049	1,698	38.22%
ORANGE	923	851	1,774	52.03%
QUEENS	1,207	1,653	2,860	42.20%
SUFFOLK	1,837	2,559	4,396	41.79%
SARATOGA	349	709	1,058	32.99%
ULSTER	510	645	1,155	44.16%
WESTCHESTER	685	1,868	2,553	26.83%

*Source: New York State Department of Motor Vehicles, Division of Research and Development.

While the Monroe County District Attorney's Office takes a tough stand on alcohol related vehicular crimes, part of the mission of the Bureau is to prevent these crimes from

happening in the future. To that end, defendants charged with felony DWI who surrender their license and demonstrate a commitment to dealing with their alcohol problem may be offered the opportunity to participate in the Pre-trial Diversion (PTD) Program. Participants in the PTD Program receive counseling and other services to deal with their alcohol issues; if they are successful, they are offered a plea to a misdemeanor DWI. Last year, 166 cases were referred to the PTD program, 126 were accepted, and 84.68% successfully completed it.

VEHICULAR ASSAULTS AND HOMICIDES: The DWI Bureau prosecuted a number of defendants in 2005 for their involvement in vehicle related deaths or serious injuries.

Christopher Osborne was indicted for Second Degree Murder, and found guilty of Second Degree Manslaughter, Second Degree Vehicular Manslaughter, two counts of Driving While Intoxicated and Leaving the Scene of a Motor Vehicle Accident after a bench trial in Monroe County Court. He was driving through several residential neighborhoods, while intoxicated, with a blood alcohol content of .25%. When he reached the area of Sheraton Drive, he drove onto a yard and struck Ms. Catherine Clements, who was planting flowers in her front yard. Ms. Clements subsequently died as a result of her injuries. Osborne was sentenced to eight and one third to fifteen years in State Prison for this offense.

James Extale was found guilty of First Degree Assault, First Degree Vehicular Assault, First Degree Aggravated Unlicensed Operation of a Motor Vehicle, Leaving the Scene and two counts of Felony Driving While Intoxicated, for intentionally hitting Rochester Police Officer Nicole Cookinham with his vehicle, causing her serious physical injury. The defendant is currently serving a sentence of 20 years in state prison.

Paul Merrill pled guilty to an indictment charging him with Second Degree Manslaughter, Second Degree Vehicular Manslaughter, Leaving the Scene of an Accident, two counts of Driving while Intoxicated and two counts of speeding in connection with the death of Christopher Lenhart.

Michael Prindle was found guilty of Second Degree Murder in the death of Lisa Kuligowski. The defendant had been involved in the theft of a snow plow and was trying to evade the police. During his attempted evasion, he hit a motor vehicle in which Ms. Kuligowski was a passenger, killing her.

Andrew Pribram-Riddell, pled guilty to an indictment charging him with Second Degree Manslaughter, Second Degree Vehicular Manslaughter, two counts of DWI and Speeding, and was sentenced to State Prison in June, 2005.

LOCAL COURTS BUREAU

25,000 misdemeanors and violations from the village, town and city courts, as well as traffic infractions in many courts, were prosecuted by the attorneys in the Local Court Bureau. This bureau is staffed by 19 attorneys assigned directly to the various courts, in addition to bureau chief Vince Rizzo and deputy bureau chief Bill Gargan. There are 10 attorneys assigned to cover the 46 courts in 22 towns and villages located in Monroe County. There are a total of nine city court judges, with one assistant district attorney assigned to each. These attorneys each handle caseloads of over 1000 cases per year.

Our **Pre-Warrant Hearing** Section provides a procedure whereby certain less serious matters are diverted from formal entry into the criminal justice system by way of a pre-warrant mediation process. This process attempts to mediate disputes after police involvement but before they result in the actual filing of criminal charges.

There are various other “specialty” courts and programs which are staffed and/or overseen by the Local Courts Bureau:

DRUG TREATMENT COURT: Rochester was the first city in the State of New York to implement this innovative program designed to provide long-term assistance to offenders while at the same time to protect the community and reduce recidivism. Defendant’s are required to successfully complete an extensive drug and/or alcohol treatment and rehabilitation program, obtain a diploma from high school or G.E.D., and secure employment or enrollment as a full-time student. The National Drug Court Institute has documented the positive impact the program in Monroe County has had on recidivism rates. Suitable cases which the District Attorney’s Office might consent to being transferred to this court include some misdemeanors, some non-violent felonies, and violations of probation. D.W.I., domestic violence, sex crimes, drug sales or violent felony offenses are excluded from consideration.

“ROAD TO RECOVERY”: This is a treatment program funded by a state grant and administered through the drug treatment court as an alternative sentence in cases where a state prison sentence is the other likely disposition. It is comprised of a rigorous, long-term in-patient treatment program, including NYSDOC’s Willard Program, in which the defendant is removed from the community. Successful completion of the 12-18 month treatment program is required if the offender is to avoid the more traditional state prison term of incarceration.

INTEGRATED DOMESTIC VIOLENCE COURT: Intended to consolidate criminal domestic violence cases, criminal cases related to Family Court cases involving the same individuals, and divorce-related Supreme Court matters. All of the cases are to be adjudicated jointly in order to facilitate resolution of multiple related and/or unrelated issues between one family by a single judge.

TEEN COURT: Created to address minor criminal offenses involving young people in a courtroom setting in which other teenage contemporaries act as judge, jury, prosecutor and defense attorney. Peer pressure and influence to prevent recidivism as well as an investment in the system by all of the participants, not just the offender, are the goals of this court.

MENTAL HEALTH COURT: Increasingly, the criminal justice system and the jail are becoming the repository for those with mental illness. The mission of this court is to improve public safety, modify court procedures as to the treatment of the mentally ill, and address the long-term needs of this population, and in the process promote their overall well-being. The practical ultimate goal is to be more responsive and sensitive to these unique situations while at the same time accomplishing the much desired related consequences of a significant reduction in recidivism and savings in precious tax dollars to the citizens.

2005 HIGHLIGHTS: The bureau implemented and continued a number of initiatives in the past year.

- Ongoing emphasis on “evidence based” prosecutions in domestic violence cases, resulting in many convictions in cases where victims could not or would not testify.
- SAFE Program [Stop Abuse in the Family Environment] - aimed at domestic violence cases to provide victims with better and more consistent contact with our office and understanding of the court process to ensure greater assistance and cooperation in prosecuting these important cases.
- Restricted plea bargaining policy on certain **community impact/safety cases:**
 - D.W.I. & Driving While Ability Impaired by Drugs
 - Drug possession
 - Firearms Use Possession
 - Prostitution
 - Underage drinking parties involving parental consent or participation
 - School or institution “bomb scares”
- Cooperation with various community agencies, including:....
 - THRESHOLD
 - THE URBAN LEAGUE
 - PRE-TRIAL SERVICES CORP.
 - THE DOMESTIC VIOLENCE CONSORTIUM
 - LYELL AVENUE BUSINESS ASSOCIATION/ “Lyell Avenue Street ProstitutionWorking Group/Lyell Avenue Neighbors”

GRAND JURY BUREAU

The Grand Jury Bureau, under the supervision of **Bruce Goldman**, is responsible for scheduling all cases that are presented to the Grand Jury for indictment. The Bureau is staffed by two clerks, who provide support for the ADAs presenting cases, and Grand Jury stenographers.

The function of the Grand Jury is to decide whether there is reasonable cause to believe that a person committed a crime. Two separate Grand Juries sit daily for a term of one month each. They are each comprised of 23 citizens from the community.

In 2005, there were **almost 1,700 cases presented** to these two Grand Juries, and about **63% resulted in felony indictments** (compared to 38% in 2003). The rest were either dismissed for lack of evidence or returned to local courts for misdemeanor prosecution.

VICTIM ASSISTANCE UNIT

Victims of crime often experience physical, emotional, and financial trauma as a result of their victimization. The six advocates in the Victim/Witness Bureau, under the direction of Carrie Noble, assist victims in understanding their rights and provide support services to victims and witnesses of crime. These services include, but are not limited to, assistance with Crime Victims Board applications, case information, court assistance, parole information, and referral services. Victims rights training is also provided to various community groups.

Advocates within the Victim/Witness Bureau participated in ongoing training in 2005 including: sexual assault, elder abuse, Sex Offender Registry Act, firearms, and a professional development seminar for improving victim service and crime prevention programs. The Bureau is actively enrolled as a member of The Monroe County/City of Rochester Coalition for Crime Victims and The Coalition for Crime Victims of Western New York. Members of the Bureau also attend a three day annual conference on crime victims rights presented by The New York State Crime Victims Board.

In 2005 approximately 800 new victims and 1100 witnesses were served, and advocates rendered almost 29,600 victim/witness services, including numerous court appearances.

INVESTIGATORS/WARRANTS DIVISION

The District Attorney Investigation Unit is comprised of 13 full and part-time investigators, supervised by Chief Investigator Mark Kelley. District Attorney Investigators are sworn police officers, each with over 20 years of experience.

These Investigators perform vital support services to assist in the effective prosecution of both misdemeanor and felony cases, including post-arrest case review and analysis, witness interviews and locates, witness protection, witness transports, and the service of subpoenas and material witness arrest warrants. District Attorney Investigators also conduct proactive inquiries and investigations into allegations of public corruption.

Perhaps the greatest challenge faced by this bureau is getting witnesses to come forward and testify. A culture of fear and intimidation, as well as apathy in many cases, contributes to this problem. The investigators play a critical role in obtaining the presence of our witnesses through all lawful means. In 2005, the Monroe County District Attorneys obtained 41 Material Witness Arrest Orders directing the arrest of victims and witnesses who failed or refused to appear to testify. 36 of these were successfully served and the witnesses were brought to court.

Individual Investigators with specific training, experience and expertise are assigned to various Bureaus within the District Attorney's Office; including Major Felony, Arson, Special Investigation, Domestic Violence and Economic Crime.

In 2005 District Attorney Investigators were assigned to joint local, state and federal law enforcement initiatives such as Project Impact/Ceasefire, and the Violent Crime Task Force. These multi-agency, police/prosecution teams specifically target members and associates of violent street gangs involved in murders, robberies, drug trafficking and other serious crimes in Rochester and Monroe County. A District Attorney Investigator is also assigned to work with local and state police agencies in the specific investigation and subsequent prosecution of Auto-Theft and Insurance Fraud cases.

2005 STATISTICAL REVIEW:

Subpoenas: In 2005 D.A. Investigators served a total of 24,368 subpoenas.

Locates: In 2005 D.A. Investigators conducted inquiries to locate 1,485 individual witnesses and victims. This figure represents an increase of approximately 31% over the 1,137 locates performed in 2004.

Transports: 2005 saw a substantial increase in the number of victim/witness transports. The 2,290 completed transports this year is an increase of approximately 51% over the 1,513 transports completed in 2004.

Interviews: 29,215 interviews were conducted by District Attorney Investigators in 2005. This total indicates an increase of approximately 21% as compared to the 24,129 interviews conducted in 2004.

ADMINISTRATION

District Attorney Mike Green heads up the Monroe County District Attorney's Office. **First Assistant Ken Hyland** and **Second Assistant Larry Bernstein** work closely with District Attorney Green in supervising the work of the Office.

Ken Hyland is in his **28th year in the District Attorney's Office**. As First Assistant, Hyland oversees the Homicide, Major Felony, Special Investigations, Arson and Appeals Bureaus. He also continues to personally prosecute major cases, particularly homicides.

Larry Bernstein has been with the Office **for 26 years**. As Second Assistant, Bernstein oversees the Domestic Violence, Economic/Computer, Non-Violent Felony, DWI, Local Court, Victims Assistance and Grand Jury Bureaus. He also continues to prosecute homicides and major felony cases.

The various Bureau Chiefs and Deputy Bureau Chiefs directly supervise the day to day work of the attorneys in their respective Bureaus. The Bureau Chiefs and administrators average over 20 years of experience.

<u>Bureau/Unit</u>	<u>Chief Prosecutor</u>	<u>Deputy</u>
Major Felony	Joanne Winslow	Sandra Doorley
Special Investigations	Timothy Prosperi	Anne Chase
Appeals	Wendy Lehmann	Kelly Wolford
Domestic Violence	Doug Randall	
Econ/Comp/Non-Violent	Jennifer Whitman	
DWI	Kristin Splain	
Local Courts	Vince Rizzo	Bill Gargan
Arson Prosecutor	Paul Irving	
Grand Jury	Bruce Goldman	
Gun/Exile Liaison	Ray Benitez	
Victim/Witness Bureau	Carrie Noble	Paula Penna



SUPPORT STAFF: District Attorney Administrator **Richard Christopher** is ultimately responsible for the overall supervision of all non-attorney and non-investigative staff. In addition to managing all personnel functions (payroll, personnel issues, time off requests, and scheduling), he is also responsible for formulating the yearly budget request for the District Attorney's Office (over \$12,000,000 in 2005). The DA Administrator also seeks out sources of grant funding to enhance the ability of the office to prosecute crimes, and coordinates the grant acceptance process through the Monroe County Legislature. Assisting the District Attorney Administrator in managing the support functions required to keep the office running smoothly are the following key personnel:

The **District Attorney Research Analyst, Gary Campanaro**, is responsible for processing all felonies. This involves reviewing, entering and making bureau assignments. Gary also assists in the Data Entry Operation.

Five **Data Entry Operators** are supervised by **Superior Court Calendar Clerk Vicki Smith**. The Data Entry Operators are responsible for opening cases in our case management system, and entering all information from Monroe County Court Dockets. Last year, 25,000 misdemeanor cases and 5,000 felony cases were entered. Data Entry also maintains entering plea and sentence information.

Four para legals are currently on staff assisting the over 75 attorneys with Court and Trial preparation, collecting information and evidence for use in all cases.

Thirteen secretaries do all secretarial work for the over 75 attorneys in the office, preparing all court and Grand Jury documents and maintaining case files. **Two receptionists** handle all inquiries from Law Enforcement, Attorneys, the public and victims/witnesses both in person and via telephone. All are supervised by **Confidential Assistant to the District Attorney Karen Farsace**.

Conrad Ziarniak is the **Acting Systems Administrator**, overseeing and administering the case management system and computer network. He also acts as liaison to the County Information Services Department, and troubleshoots problems, and advises the District Attorney and the District Attorney Administrator on potential future equipment and infrastructure requirements.

All of these primary support personnel also participate in committees which decide procedural issues involving preparation of court documents, data entry protocols, and case management and case processing workflows.

OUTREACH, TRAINING & INTERNSHIP PROGRAMS

In addition to the day to day prosecution of crimes, the District Attorney's office is engaged in a number of outreach and training programs for the betterment of the attorneys in the office as well as the community at large. These include:

- In-house Continuing Legal Education Courses, to ensure that all attorneys are kept up to date on new laws and decisions and improve their practice skills.
- Outside Continuing Legal Education sessions presented by the New York Prosecutor's Training Institute, the National College of District Attorneys and National District Attorney's Association.
- Bringing in experts on important developments in criminal law, such as DNA testing.
- Involvement in various community-based groups focusing on criminal justice problems and victim advocacy.
- Internship programs with various local High Schools and Colleges. These interns provide invaluable support services, while learning about the criminal justice system.

2005 BUDGET HIGHLIGHTS

The total budget for the District Attorney's Office in 2005 was approximately 12 million dollars, with less than 10 million coming from County funds. We received additional funding for our **Project Impact/Ceasefire** program in 2005. This joint program, launched in late 2003 with the Rochester Police Department, Monroe County Probation Department, and other law enforcement agencies as partners, targets gang violence and drug and gun-related crime in the City of Rochester. Funding was increased to \$893,000 per year, an increase of over 67% from 2004.

The District Attorney's Office also continued to receive **over \$142,000 from the New York State Division of Criminal Justice Services** to target auto theft and suspected instances of auto insurance fraud in Monroe County, as well as a **\$70,000 grant** from the same State agency to monitor participants in the Road to Recovery drug treatment program.

In addition to continuing these relatively new grant programs, the District Attorney's Office continued to receive **New York State Aid to Localities** funding in the amount of **\$513,568 per year**, and **Crime Victim's Board funding** to support the DA's Victim/Witness unit in the amount of **\$158,400 per year**.

New funding in the amount of **\$100,000** was obtained from the Buffalo Area Foundation to continue the **Community Gun Interdiction Program**, and a new grant in the amount of **\$127,162** to fund the prosecution of individuals and businesses that fail to pay income, sales, and employment taxes was also secured from **New York State Division of Criminal Justice Services**. It is anticipated that this Crimes Against Revenue Prosecution grant will generate additional income for the County of Monroe in the form of recovered tax receipts.

DISTRICT ATTORNEY WEBSITE

<http://www.monroecounty.gov/da-index.php>

District Attorney Mike Green welcomes any comments from the public regarding the performance of the office. Just visit the District Attorney website above and click on the "Contact Us" button.